

**MINUTES
THE WEST VIRGINIA CONTRACTOR LICENSING BOARD**

December 17, 2020

The West Virginia Contractor Licensing Board met via teleconference on December 17, 2020, at 9:00 a.m. at 1900 Kanawha Boulevard East – State Capitol Complex – Building 3 – Room 200 – Charleston, West Virginia.

BOARD MEMBERS PRESENT VIA TELEPHONE

Jacob Meck, Chair
Manny Alvarez
Ted Brady
Mary Cleland
Amy Fairman
James M. Noel
Charles K. Smith

BOARD MEMBERS ABSENT

Michael Davis
Frank R. Ferguson
Steven Solomon

OTHERS PRESENT

Mitchell E. Woodrum, Commissioner
Kathy Rucker, Labor Program Manager
Brian White, Labor Program Manager
Kimberly Legg, Board Secretary

MEETING CALLED TO ORDER

A quorum being present, Mr. Meck called the meeting to order at 9:01 a.m.

APPROVAL OF AGENDA

Mr. Noel made a motion to approve the agenda of the December 17, 2020 board meeting. Mr. Meck seconded. Motion carried.

APPROVAL OF MINUTES

Mr. Brady made a motion to approve the minutes of the September 17, 2020 board meeting. Mr. Alvarez seconded. Motion carried.

PUBLIC COMMENT

No one appeared for public comment.

BILTWELL ENTERPRISES, LLC RE-INSTATEMENT/RE-APPLICATION REQUEST

Member Kurt Fresa submitted a request to have his license re-instated after satisfying the previous judgments and the terms of his probation through the court. Mr. Brady made a motion to allow Mr. Fresa to re-apply; however, Biltwell Enterprises will be placed on probation for one year and will be required to submit a list of projects to the office on a monthly basis. Ms. Cleland seconded. Motion carried.

LICENSEE DISCIPLINARY HEARINGS

A. Thomas Builders, Inc. DBA Thomas Brothers Construction, Inc. – Niotoa, TN – WV036587 (Hiring Unlicensed Subcontractors)

Staff explained to the Board regarding Thomas Builders. No one appeared on behalf of the company, but a written response was submitted.

Mr. Brady made a motion to request a current list of projects, including subcontractors and subsequent tier subcontractors. Mr. Alvarez seconded. Mr. Smith made a motion to amend the request to include a copy of a detailed action plan. Mr. Brady seconded. Motions carried.

B. Ultimate Roofing WV, LLC DBA Ultimate Roofing – Clarksburg, WV – WV055105 (Hiring Unlicensed subcontractors)

Staff explained to the Board regarding Ultimate Roofing. Owner Tony Vincent and Attorney Jeff Van Volkenburg appeared on behalf of Ultimate Roofing.

Mr. Smith made a motion to place company on probation for a period of one year and require them to submit a list of projects, on a monthly basis, and include a list of all subcontractors and subsequent tier subcontractors. Failure to submit the list will result in the license being suspended. Mr. Brady seconded. Motion carried.

C. G B Construction, LLC – Nitro, WV – WV047889 (Kanawha County Circuit Court judgment in the amount of \$71,518.01 plus court costs and interest)

Staff explained to the Board regarding G B Construction, LLC. No one appeared on behalf of the company.

Mr. Smith made a motion to suspend license. Mr. Brady seconded. Motion carried.

D. Vecellio & Grogan, Inc. – Beckley, WV – WV000228 (Hiring unlicensed subcontractors)

Staff explained to the Board regarding Vecellio & Grogan, Inc. L.L. Gwinn, Secretary/Treasurer and Mark Adkins, Attorney appeared on behalf of the company.

Mr. Smith made a motion to take no action and accept company's action plan. Mr. Alvarez seconded. Motion carried.

E. Kanawha Stone Company, Inc. – Nitro, WV – WV006094 (Hiring unlicensed subcontractors)

Staff explained to the Board regarding Kanawha Stone Company. Thomas Kittredge, CEO/President and Mark Atkins, Attorney appeared on behalf of the company.

Mr. Smith made a motion to take no action and accept company's action plan. Mr. Alvarez seconded. Motion carried.

CEASE AND DESIST ORDERS

A. Advisory Letters

Mr. Alvarez made a motion to accept staff recommendations. Mr. Brady seconded. Motion carried.

B. \$200.00 Fines

Mr. Brady made a motion to accept staff recommendations. Mr. Smith seconded. Motion carried.

C. \$500.00 Fines

Mr. Smith made a motion to accept staff recommendations. Mr. Alvarez seconded. Motion carried.

D. \$1,000.00 Fines

Mr. Smith made a motion to accept staff recommendations. Mr. Alvarez seconded. Motion carried.

HB 4020

The Board postponed item to the next meeting.

UNTESTED SPECIALTIES REVIEW

The Board postponed item to the next meeting.

WRITTEN CONTRACT PROTOCOL

The Board postponed item to the next meeting.

ACCEPTING THE PROFESSIONAL ENGINEERING LICENSE IN LIEU OF TAKING GENERAL ENGINEERING EXAM

The Board postponed item to the next meeting.

ACCEPTING NASCLA ELECTRICAL CONTRACTOR EXAM SCORES

Mr. Brady made a motion to begin accepting NASCLA Electrical Contractor Exam Scores in lieu of taking the Pro-V exam, effective December 17, 2020. Mr. Alvarez seconded. Motion carried.

RECIPROCITY REQUEST FROM TENNESSEE DEPARTMENT OF COMMERCE & INSURANCE

Mr. Brady made a motion to accept and finalize the reciprocity request from the Tennessee Department of Commerce & Insurance for Electrical, General Building, HVAC, Masonry, Multi-Family, Plumbing, Residential and Sprinkler and Fire Protection. Mr. Smith seconded. Motion carried.

DOL REPORT

- A report was provided to the Board on Advisory Letters sent to prime contractors for hiring unlicensed subcontractors.
- A report was provided to the Board on criminal charges being filed in magistrate court on various contractors.
- The Board was advised of the suspension of AMR Home Improvements for failing to make payments as agreed to in a payment plan with a consumer.

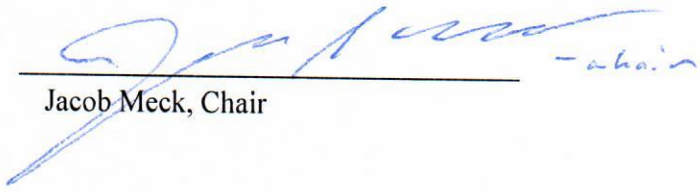
NEXT MEETING DATE

April 22, 2021

ADJOURNMENT

Mr. Brady made a motion to adjourn at 10:26 a.m. Mr. Smith seconded. Motion carried.

Approved:



Jacob Meck, Chair